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12 UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA

14 ROBERT A. MAFARA, JR.,

Civil No. 2:22-cv-02142-EJY

15 Plaintiff,

16 vs.

17 KILOLO KIJAKAZI, Acting Commissioner
18 of Social Security,

UNOPPOSED MOTION FOR EXTENSION OF
TIME, (*FIRST REQUEST*)

19 Defendant.

20 Defendant Kilolo Kijakazi, Acting Commissioner of Social Security (Defendant)
21 respectfully requests that the Court extend the time for Defendant to respond to Plaintiff's
22 Motion for Reversal and/or Remand (Dkt. No. 13, filed on July 15, 2023), currently due on
23 August 14, 2023, by 45 days, through and including September 28, 2023.

24 I make this request in good faith and for good cause. Up front, I regret that I intended to
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1 file this motion prior to the date the brief was due for filing, which was yesterday, August 14,
2 2023. However, I work in downtown Honolulu, Hawai'i, and have been without electric power
3 going on two days now, exacerbated with the electric company's slow response time due to
4 crews diverted to the neighbor island of Maui in the wake of recent fires. I have since found
5 nearby office space today, August 15, 2023, and I sincerely apologize for the late filing of this
6 motion.

7 My office, the Office of the General Counsel's (OGC) Office of Program Litigation,
8 Office 7, is responsible for defending the Commissioner in this matter and all other similar
9 matters throughout the Ninth Circuit. My office in experiencing an unanticipated spike in cases,
10 exacerbated by several long-term leaves of absence. As such, this case and multiple other cases
12 have been reassigned to me. Several such cases require imminent responses.

13 The extension is required to allow me time to review the record in this case and respond
14 appropriately to Plaintiff's brief. Broadly, in my role of attorney at the OGC's Office 7, I am
15 currently assigned 41 cases at various stages of litigation. Additionally, I have other non-
16 litigation work matters assigned to me. Despite my diligence, I have been unable to complete the
17 review of this case, and the drafting of the brief, due to having multiple court filing dates within
18 a compressed period. Specifically, I have a cluster of six district court briefs, including this one,
19 all due for filing within a two-week period, an untenable schedule. While I have been diligently
20 working to timely complete this and my other briefs, I find myself unable to properly represent
21 the Commissioner within such a compressed timeline. I contacted counsel for Plaintiff, who said
22 he has no objection to this motion to extend time.

23 For these reasons, I respectfully request that the Court grant this motion for an extension
24 of 45 days for Defendant to respond to Plaintiff's Opening Brief, making Defendant's new brief
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1 due date September 28, 2023.

2 DATED August 15, 2023

3 Respectfully submitted,

4 JASON M. FRIERSON
United States Attorney

5 By: s/ Julie A.K. Cummings
6 JULIE A.K. CUMMINGS
Special Assistant United States Attorney
7 Office of Program Litigation, Office 7

8 Attorneys for Defendant

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10 **ORDER**

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13 IT IS SO ORDERED.

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15 UNITED STATES MAGISTRATE JUDGE

16 DATED: August 15, 2023
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